

Jonah A. Grossbardt (State Bar No. 283584)

SCHNEIDER ROTHMAN INTELLECTUAL

PROPERTY LAW GROUP, PLLC

1801 Century Park East

Suite 1100

Los Angeles, CA 90067

323.364.6565 – Telephone

561.404.4353 – Facsimile

jonah.grossbardt@sriplaw.com

Attorneys for Plaintiff

LINDA MATLOW

UNITED STATES DISTRICT COURT

CENTRAL DISTRICT OF CALIFORNIA

LINDA MATLOW,

Plaintiff,

v.

RABERCOM ENTERPRISES, LLC dba
EUR WEB,

Defendant.

Case No.:

**COMPLAINT FOR COPYRIGHT
INFRINGEMENT**

Demand for Jury Trial

COMPLAINT FOR COPYRIGHT INFRINGEMENT
(INJUNCTIVE RELIEF DEMANDED)

Plaintiff LINDA MATLOW by and through her undersigned counsel, brings
this Complaint against Defendant RABERCOM ENTERPRISES, LLC DBA EUR
WEB for damages and injunctive relief, and in support thereof states as follows:

SUMMARY OF THE ACTION

1. Plaintiff LINDA MATLOW (“Matlow”) brings this action for violations of exclusive rights under the Copyright Act, 17 U.S.C. § 106, to copy and distribute Matlow’s original copyrighted works of authorship.

2. Matlow is the owner of the photo feature agency Pix International, which specializes in covering major entertainment, news and events from her main base in Chicago, Illinois. She was also photo editor and/or Bureau chief and columnist for The Prairie Sun, Chicago Soundz Magazine, Chicago Nightlife Magazine, Midwest Beat and Chicago Beat. Matlow has over 700,000 photo images available for licensing and her photos have been licensed and published in thousands of magazines, books, newspapers, CD covers and TV shows, as well as hundreds of books around the world.

3. Matlow retains all copyrights to her photographs. Matlow licenses her copyrighted Works, such as the one in this case, for commercial use.

4. Defendant RABERCOM ENTERPRISES, LLC DBA EUR WEB (“EUR Web”) is an online digital entertainment and magazine.

5. Matlow alleges that EUR Web copied Matlow’s copyrighted work from the internet in order to advertise, market and promote its business activities. EUR Web committed the violations alleged in connection with EUR Web’s business for purposes of advertising and promoting sales to the public in the course and scope of EUR Web’s business.

JURISDICTION AND VENUE

6. This is an action arising under the Copyright Act, 17 U.S.C. § 501.

7. This Court has subject matter jurisdiction over these claims pursuant to 28 U.S.C. §§ 1331, 1338(a).

8. EUR Web is subject to personal jurisdiction in California.

9. Venue is proper in this district under 28 U.S.C. § 1391(b) and (c) and 1400(a) because the events giving rise to the claims occurred in this district, Defendant engaged in infringement in this district, Defendant resides in this district, and Defendant is subject to personal jurisdiction in this district.

DEFENDANT

10. Rabercom Enterprises, LLC dba EUR Web is a California limited liability corporation with its principal place of business at 4210 Via Arbolada, #319, Los Angeles, California, 90042, and can be served by serving its Registered Agent, Mark H. Rynes, 1522 West Manchester Avenue, Los Angeles, California, 90047.

THE COPYRIGHTED WORK AT ISSUE

11. In 2005, Matlow created a photograph entitled “Dennis_Rodman_7017.jpg”, which is shown below and referred to herein as the “Work”.

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12. Matlow registered the Work with the Register of Copyrights on December 19, 2005 and was assigned the registration number VAu 691-128. The Certificate of Registration is attached hereto as Exhibit 1.

1 13. At all relevant times Matlow was the owner of the copyrighted Work at
2 issue in this case.

3 **INFRINGEMENT BY DEFENDANT**

4 14. EUR Web has never been licensed to use the Work at issue in this action
5 for any purpose.

6 15. On a date after the Work at issue in this action was created, but prior to
7 the filing of this action, EUR Web copied the Work.

8 16. EUR Web copied Matlow's copyrighted Work without Matlow's
9 permission.

10 17. After EUR Web copied the Work, it made further copies and distributed
11 the Work on the internet to promote the sale of goods and services as part of its online
12 entertainment and news magazine.

13 18. EUR Web copied and distributed Matlow's copyrighted Work in
14 connection with EUR Web's business for purposes of advertising and promoting EUR
15 Web's business, and in the course and scope of advertising and selling products and
16 services.

17 19. Matlow's Works are protected by copyright but are not otherwise
18 confidential, proprietary, or trade secrets.

19 20. EUR Web committed copyright infringement of the Work as evidenced
20 by the documents attached hereto as Exhibit 2.

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24. Matlow never gave EUR Web permission or authority to remove copyright management information from the Work at issue in this case.

30. Matlow has been damaged.

31. The harm caused to Matlow has been irreparable.

WHEREFORE, the Plaintiff prays for judgment against the Defendant Rabercom Enterprises, LLC dba EUR Web that:

a. Defendant and its officers, agents, servants, employees, affiliated entities, and all of those in active concert with them, be preliminarily and permanently enjoined from committing the acts alleged herein in violation of 17 U.S.C. § 501;

b. Defendant be required to pay Plaintiff her actual damages and Defendant's profits attributable to the infringement, or, at Plaintiff's election, statutory damages, as provided in 17 U.S.C. § 504;

c. Plaintiff be awarded her attorneys' fees and costs of suit under the applicable statutes sued upon; and

d. Plaintiff be awarded such other and further relief as the Court deems just and proper.

JURY DEMAND

Plaintiff hereby demands a trial by jury of all issues so triable.

DATED: May 29, 2018

/s/ Jonah A. Grossbardt
JONAH A. GROSSBARDT
SCHNEIDER ROTHMAN INTELLECTUAL
PROPERTY LAW GROUP, PLLC
Attorneys for Plaintiff Linda Matlow